

**NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 27, 2006**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 60 members present.

Absent and excused -- Block, Bradford, Crow, Lake, Loertscher, McKague, Schaefer, Shirley, Smith(24), Snodgrass.
Total -- 10.

Total -- 60.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Nathan Barry, Page.

Approval of Journal

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

January 26, 2006

Mr. Speaker:

I transmit herewith **S 1250, S 1251, and S 1252** which have passed the Senate.

WOOD, Secretary

S 1250, S 1251, and S 1252 were filed for first reading.

Report of Standing Committees

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 476, H 477, H 478, H 479, H 480, H 481, H 482, H 483, H 484, and H 485**.

FIELD(18), Chairman

H 476 and H 477 were referred to the State Affairs Committee.

H 478, H 479, H 480, H 481, H 482, H 483, H 484, and H 485 were referred to the Revenue and Taxation Committee.

January 27, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 403**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 403**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

HOUSE BILL NO. 486

BY SALI

AN ACT

RELATING TO TAXATION ON FUEL; AMENDING SECTION 63-2402, IDAHO CODE, TO SUSPEND THE IMPOSITION OF TAX ON THE RECEIPT OF MOTOR FUEL FROM APRIL 1, 2006, THROUGH JUNE 30, 2006; AMENDING SECTION 63-2412, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN MONEYS IN LIEU OF DISTRIBUTING TAXES IMPOSED ON GASOLINE FOR THE PERIOD OF APRIL 1, 2006, THROUGH JUNE 30, 2006; AND AMENDING SECTION 63-2418, IDAHO CODE, TO PROVIDE FOR THE DISTRIBUTION OF CERTAIN MONEYS IN LIEU OF DISTRIBUTING TAXES IMPOSED ON SPECIAL FUEL FOR THE PERIOD OF APRIL 1, 2006, THROUGH JUNE 30, 2006; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 487

BY SALI

AN ACT

STATING FINDINGS OF THE LEGISLATURE; AND PROVIDING THAT THE STATE CONTROLLER SHALL TRANSFER MONEYS TO THE STATE TAX COMMISSION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 488

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SUCCESSION TO THE DUTIES OF LEGISLATOR; AMENDING SECTION 67-423A, IDAHO CODE, TO PROVIDE FOR ASSUMPTION OF POWERS AND DUTIES OF A LEGISLATOR IN THE EVENT A LEGISLATOR RESIGNS FROM OFFICE AND TO REVISE TERMINOLOGY.

HOUSE BILL NO. 489

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO IDAHO STATE VETERANS HOMES; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE FOR ADMISSION TO AN IDAHO STATE VETERANS HOME TO THE SPOUSES OF ELIGIBLE VETERANS AND TO DEFINE "SPOUSE."

HOUSE BILL NO. 490
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO HONEYBEES; AMENDING SECTION 22-2807, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE IDAHO HONEY ADVERTISING COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2808, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM ANNUAL TAXATION FOR HOBBYIST BEEKEEPERS AND TO PROVIDE FOR VOLUNTARY REGISTRATION AND PAYMENT OF FEE; AND AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2811, IDAHO CODE, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION RELATING TO REGISTERED BEEKEEPERS.

HOUSE BILL NO. 491
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING CHAPTER 21, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2106, IDAHO CODE, TO PROVIDE REQUIREMENTS FOR EMERGENCY VETERINARY FACILITIES AND ON-CALL EMERGENCY SERVICES.

HOUSE BILL NO. 492
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO CONCENTRATED ANIMAL FEEDING OPERATIONS; AMENDING SECTION 67-6529C, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 67-6529E, IDAHO CODE, TO PROVIDE THAT REQUESTS BY BOARDS OF COUNTY COMMISSIONERS FOR SUITABILITY DETERMINATIONS BY SITE ADVISORY TEAMS SHALL INCLUDE THE ACTUAL ANIMAL CAPACITY OF THE FACILITY.

HOUSE BILL NO. 493
BY AGRICULTURAL AFFAIRS COMMITTEE
 AN ACT

RELATING TO BEE INSPECTIONS; AMENDING SECTION 22-2517, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2518, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2519, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE GUIDELINES TO ENSURE THAT THE INSPECTIONS ARE ADEQUATE; AMENDING SECTION 22-2520, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO INVESTIGATIONS BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND TO PROVIDE CORRECT

TERMINOLOGY; REPEALING SECTION 22-2521, IDAHO CODE, RELATING TO UNOCCUPIED COMBS; AMENDING SECTION 22-2523, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CRIMINAL PROVISIONS RELATING TO OWNERS OR KEEPERS OF DISEASED BEES; AMENDING SECTION 22-2524, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 22-2525, IDAHO CODE, RELATING TO PERMITS TO BRING COMB HONEY AND BEES INTO THE STATE; REPEALING SECTION 22-2526, IDAHO CODE, RELATING TO PERMIT REQUIREMENTS FOR THE IMPORTATION OF BEES; AMENDING SECTION 22-2529, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO THE TRANSPORTATION OF CERTAIN BEES, SUPPLIES AND EQUIPMENT; REPEALING SECTION 22-2530, IDAHO CODE, RELATING TO ANNUAL GENERAL AND CONTINUING PERMITS; AMENDING CHAPTER 25, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2508, IDAHO CODE, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION RELATING TO REGISTERED BEEKEEPERS BY THE DEPARTMENT OF AGRICULTURE; AMENDING SECTION 22-2532, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2536, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION FEE PROVISIONS AND TO PROVIDE AN EXEMPTION FROM REGISTRATION REQUIREMENTS FOR HOBBYIST BEEKEEPERS; AMENDING SECTION 22-2538, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-2539, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 22-2540, IDAHO CODE, TO REDESIGNATE THE SECTION.

HOUSE BILL NO. 494
BY LEFAVOUR
 AN ACT

RELATING TO PROVIDING MONEYS FROM THE SALES AND USE TAX TO PROVIDE FOR BUILDING AND REPAIR OF SCHOOL BUILDINGS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 63-3622D, IDAHO CODE, TO DELETE REFERENCE TO THE SALES TAX EXEMPTION ON UTILITIES WITHIN THE PRODUCTION EXEMPTION; REPEALING SECTION 63-3622F, IDAHO CODE, RELATING TO THE SALES AND USE TAX EXEMPTION FOR THE SALE OR PURCHASE OF NATURAL GAS, ELECTRICITY, AND WATER WHEN DELIVERED TO CONSUMERS AT THE PLACE OF CONSUMPTION BY MEANS OF PIPES, WIRES, MAINS OR SIMILAR SYSTEMS; AMENDING SECTION 63-3616, IDAHO CODE, TO DEFINE "TANGIBLE PERSONAL PROPERTY"; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3638B, IDAHO CODE, TO PROVIDE THAT THE SALES AND USE TAX ON UTILITIES SHALL BE PAID TO THE SCHOOL DISTRICT

BUILDING ACCOUNT; AND TO PROVIDE SEVERABILITY.

HOUSE BILL NO. 495

BY RINGO

AN ACT

RELATING TO THE SALES AND USE TAX AND FUNDING FOR THE PUBLIC SCHOOLS; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3641, IDAHO CODE, TO IMPOSE AN ADDITIONAL ONE PERCENT SALES AND USE TAX, TO PROVIDE FOR STATE TAX COMMISSION AUTHORITY AND TO PROVIDE FOR DEPOSIT OF MONEYS; AMENDING CHAPTER 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 33-908, 33-909, 33-910, 33-911, 33-912, 33-913 AND 33-914, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE THE PURPOSE FOR RAISING THE SALES AND USE TAX, TO CREATE THE IDAHO LOCAL PUBLIC SCHOOLS INVESTMENT FUND, TO PROVIDE FOR USE OF ENHANCED REVENUES, TO PROVIDE FOR LOCAL ANNUAL ACCOUNTABILITY REPORTS ON USE OF REVENUES, TO PROVIDE FOR AN ANNUAL GENERAL ACCOUNT APPROPRIATION AMOUNT AND TO PROVIDE FOR DISTRIBUTION OF THE GENERAL ACCOUNT APPROPRIATION AMOUNT.

HOUSE BILL NO. 496

BY MATHEWS

AN ACT

RELATING TO APPROPRIATIONS AND STATE AGENCIES; AMENDING CHAPTER 36, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3615, IDAHO CODE, TO REQUIRE LEGISLATIVE AUTHORIZATION BEFORE AN AGENCY MAY EXPEND AN APPROPRIATION, TO PROVIDE PROCEDURES AND TO DEFINE "AGENCY."

HOUSE BILL NO. 497

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622TT, IDAHO CODE, TO PROVIDE A SALES AND USE TAX REBATE FOR THE SALES OR USE OF TANGIBLE PERSONAL PROPERTY USED DIRECTLY BY A MEDIA PRODUCTION COMPANY IN MEDIA PRODUCTION, TO PROVIDE PROCEDURES, TO DEFINE TERMS, TO PROVIDE QUALIFICATION REQUIREMENTS AND TO PROVIDE FOR RECAPTURE; AND PROVIDING A SUNSET DATE.

HOUSE BILL NO. 498

BY HART

AN ACT

RELATING TO THE STATE INCOME TAX; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3010A, IDAHO CODE, TO PROVIDE A DEFINITION OF "INCOME"; AMENDING SECTION 63-3011C, IDAHO CODE, TO

REVISE THE DEFINITION OF "IDAHO TAXABLE INCOME"; AMENDING SECTION 63-3018, IDAHO CODE, TO REVISE THE DEFINITION OF "EMPLOYEE"; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3019, IDAHO CODE, TO PROVIDE A DEFINITION OF "TRADE OR BUSINESS"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

H 486, H 487, H 488, H 489, H 490, H 491, H 492, H 493, H 494, H 495, H 496, H 497, and H 498 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1250, S 1251, and S 1252, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

SJM 113, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places until Monday, January 30, 2006. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 1:15 p.m., Monday, January 30, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:16 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk